

What's New

West Virginia Offices of the Insurance Commissioner



SPECIAL UPDATE

Laws and Regulations

Volume 1, Issue 8
April 2012

The Supreme Court is currently reviewing the constitutionality of the Affordable Care Act. To access hearing transcripts, click [here](#).

AIA Oral Argument Transcript: click [here](#).

Individual Mandate Oral Argument Transcript: click [here](#).

Medicaid Expansion Oral Argument Transcript: click [here](#).

Severability Oral Argument Transcript: click [here](#).

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On March 12 and March 16, 2012, HHS released the following rules:

Final Exchange Rule: click [here](#).

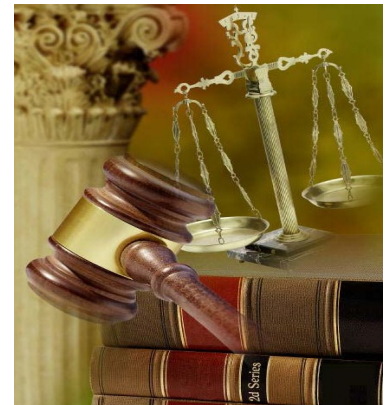
Final Rule on Medicaid Expansion: click [here](#).

Final Rule on the 3R's (Reinsurance, Risk Corridors and Risk Adjustment): click [here](#).

Student Health Plan Final Rule: click [here](#).

HHS and the Departments of Labor and Treasury released an

Advanced Notice of Proposed Rulemaking (ANPRM): click [here](#).



Guidance and Other Federal Communications

On March 23, 2012, HHS released state by state data outlining the impact the ACA has had on states over the past two years. To review the data click [here](#).

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The Department of Health and Human Services (HHS) released a report on March 5, 2012, detailing how the ACA's provision banning insurers from imposing lifetime dollar limits has benefited approximately 105 million Americans. The report is located [here](#).

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The Department of Health and Human Services (HHS) published a report on March 7, 2012, outlining the benefits of the ACA's extension of dependent coverage to age 26. The report is located [here](#).

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The Congressional Budget Office (CBO) and the staff of the Joint Committee on Taxation (JCT) published updated estimates of the budgetary effects of the health insurance coverage provisions of the ACA. CBO and JCT estimate that the insurance coverage provisions of the ACA will have a net cost of just under \$1.1 trillion over the 2012–2021 period—about \$50 billion less than the agencies' March 2011 estimate for that 10-year period. The report is located [here](#).

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Grant Announcements and Other Funding

On March 2, 2012, CMS published a notice in the Federal Register announcing new Level 1 and Level 2 Exchange Establishment Grant application deadlines. According to the notice, a funding opportunity announcement will be released on June 14, 2012. The notice is located [here](#).

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The Centers for Medicare and Medicaid Services (CMS) announced on March 29, 2012, a second round of CO-OP awards. A total of \$206,335,108 was awarded to plans in Maine, Oregon and South Carolina. The CMS Announcement is located [here](#). A CO-OP fact sheet is located [here](#).

Exchange Activity In Other States

The Arkansas Office of Procurement released a Request for Proposal (RFP) on March 8, 2012, on behalf of the Arkansas Insurance Department (AID) to obtain pricing and a contract for delivering, installing and configuring a comprehensive statewide Navigator Program IT system. The RFP is located [here](#).

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The California HealthCare Foundation released an updated guide highlighting key elements of the ACA and what the law could mean for Californians. The updated ACA Guide for CA is located [here](#).

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The Board of the Colorado Health Benefit Exchange convened on March 12, 2012, in Denver, Colorado. Based on the agenda, the Board discussed the Exchange's Procurement Policy, the Master Services Agreement, and the Statement of Work document. Meeting materials are located [here](#).

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On March 9, 2012, the Connecticut Health Insurance Exchange released an RFI for Exchange IT and business processes. The RFI is located [here](#).

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On March 27, 2012, the District of Columbia announced that it awarded contracts to Accenture, LLP and Orion Health, Inc., to facilitate the development of their Health Benefit Exchange IT systems. The Press Release is located [here](#).

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On March 13, 2012, the Maryland Health Benefit Exchange Board met. The meeting materials are located [here](#).

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On March 27, 2012, the Maryland Health Benefit Exchange issued a RFP seeking a Senior Technical Architect to "help drive technology standards and best practices for IT." The RFP is located [here](#).

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On March 15, 2012, the New Jersey Legislature passed legislation establishing the New Jersey Health Benefit Exchange. The Exchange is allocated to the Department of Banking and Insurance; it will be independent of the department. The bill is located [here](#). The press announcement can be found [here](#).

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The New York Health Benefit Exchange Planning Project held a stakeholder meeting on March 12, 2012, to discuss Wakely Consulting's reports on the role of Third Party Assistors in the individual and SHOP Exchanges. The Meeting materials can be found [here](#).

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The Oregon Health Insurance Exchange (ORHIX) publicly released its business plan the week of March 25, 2012. The mandated plan was to address: (1) overview of the value of the Exchange and a timeline of activities; (2) what the Exchange means for individuals and small businesses; (3) customer service and outreach; (4) information technology infrastructure; and (5) enrollment and financial projections. The plan is located [here](#).

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The Wyoming Health Benefits Exchange (HBX) Steering Committee convened in Casper, Wyoming, on March 28, 2012. According to the agenda, the Committee discussed 2012 Legislative actions, the Committee's work plan, and Federal Partnership Models, which Wyoming is considering as a possible option for its own Exchange. The agenda is located [here](#).



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**Additional information is
available on our web site:
www.bewv.com**

April 2012

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30			29	30	31

Upcoming Calendar Meetings

<u>Tuesday April 10</u>		<u>Tuesday April 24</u>	
Carrier	10:30 PM	Consumer	10:30 PM
Producer	1:00 PM	Providers	1:00 PM

Other Reference Materials, Notices and Related Information

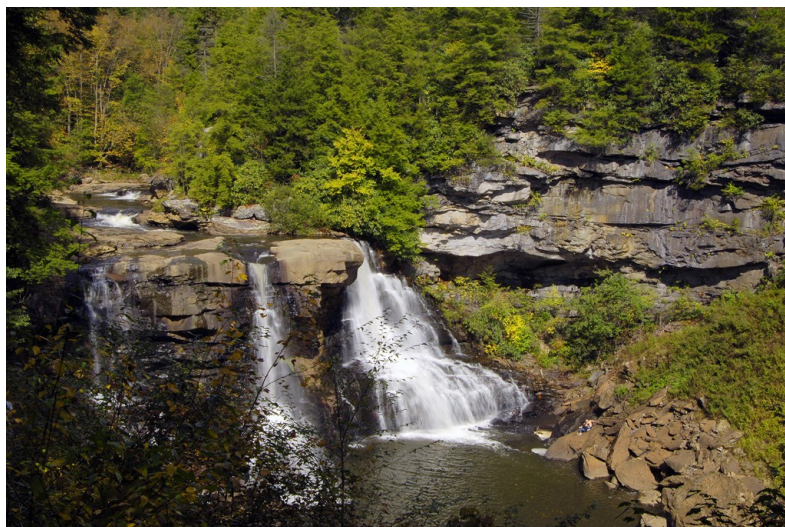
Data released from the American Medical Association (AMA) shows that states will see their uninsured roles reduced. The article is located [here](#).

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According to WIBC Indiana, the state will wait until the Supreme Court issues a ruling on the constitutionality of the ACA before proceeding with any planning for the Exchange. The news article is located [here](#).

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The Bangor Daily News reported that Maine has halted all planning for an Exchange and will wait for a decision from the Supreme Court regarding the constitutionality of the ACA. The news article is located [here](#).



Reference Guide

Laws and Regulations:

The Supreme Court hearing transcripts: http://www.supremecourt.gov/oral_arguments/argument_transcripts/11-398-Monday.pdf

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AIA Oral Argument Transcript: http://www.supremecourt.gov/oral_arguments/argument_transcripts/11-398-Monday.pdf

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Individual Mandate Oral Argument Transcript: http://www.supremecourt.gov/oral_arguments/argument_transcripts/11-398-Tuesday.pdf

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Medicaid Expansion Oral Argument Transcript: http://www.supremecourt.gov/oral_arguments/argument_transcripts/11-400.pdf

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Severability Oral Argument Transcript: http://www.supremecourt.gov/oral_arguments/argument_transcripts/11-393.pdf

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Final Exchange Rule: <http://www.bewv.com/images/ExchangeFinalRule.pdf>

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Final Rule on Medicaid: <http://www.bewv.com/images/MedicaidExpansionFinalRule.pdf>

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Final Rule on the 3R's: <http://www.bewv.com/images/FinalRuleRiskAdjustmentReinsuranceRiskCorridors.pdf>

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(ANPRM): <http://www.gpo.gov/fdsys/pkg/FR-2012-03-21/html/2012-6689.htm>

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Student Health Plan Final Rule: <http://www.healthcare.gov/news/factsheets/2012/03/student-health-plans03162012a.html>

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Guidance and Other Federal Communications:

ACA State by State: <http://www.healthcare.gov/law/resources/index.html>

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HHS Report: <http://aspe.hhs.gov/health/reports/2012/LifetimeLimits/ib.pdf>

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HHS Age 26th report: <http://aspe.hhs.gov/health/reports/2012/YoungAdultsbyGroup/ib.pdf>

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CBO and JCT Report: <http://cbo.gov/sites/default/files/cbofiles/attachments/03-13-Coverage%20Estimates.pdf>

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Grant Announcements and Other Funding:

Level 2 Grant: <http://www.gpo.gov/fdsys/pkg/FR-2012-03-02/pdf/2012-5011.pdf>

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CMS Announcement: <http://www.healthcare.gov/news/factsheets/2012/02/coops02212012a.html>

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CO-OP Fact Sheet: http://cciio.cms.gov/resources/factsheets/coop_final_rule.html

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Reference Guide Continued

Exchange Activity in Other States

Arkansas: <http://hbe.arkansas.gov/SP-12-0194.pdf>

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California: <http://www.chcf.org/publications/2012/03/aca-what-ca-should-know>

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Colorado: <http://www.getcoveredco.org/COHBE/media/COHBE/PDFs/Board/3-12-12/COHBE-Board-agenda-3-12-12.docx>

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Connecticut: http://www.healthreform.ct.gov/ohri/lib/ohri/Vendor_RFI_3912.pdf

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District of Columbia: <http://newsroom.dc.gov/show.aspx/agency/dhcf/section/2/release/23222/year/2012/month/3>

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Maryland: <http://www.dhmf.maryland.gov/healthreform/exchange/SitePages/meetings.aspx>

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Maryland RFP: http://dhmf.maryland.gov/healthreform/exchange/pdf/Exchange%20SA%20RFP%20032712_final.pdf

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New Jersey: http://www.northjersey.com/news/NJ_Senate_Assembly_pass_state_health_insurance_exchange_bill.html?page=all

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New York: <http://www.healthcarereform.ny.gov/timeline/>

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Oregon: https://orhix.org/uploads/orhix_approved_business_plan.pdf

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Wyoming: <http://legisweb.state.wy.us/interimCommittee/2012/SHEMTG0328.htm>

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Other Reference Materials, Notices and Related Information:

AMA: <http://www.ama-assn.org/amednews/site/media/stilluninsured.htm>

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Indiana: <http://www.wibc.com/news/Story.aspx?ID=1665000>

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Maine: <http://bangordailynews.com/2012/03/02/politics/maine-republicans-decide-to-wait-on-health-insurance-exchange-see-if-obamas-plan-is-overturned/?ref=latest>

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